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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,479	12/13/2001	Georg Wurm	60,130-1303; 01MRA0194	3653
26096	7590	04/01/2005	EXAMINER	
CARLSON, GASKEY & OLDS, P.C. 400 WEST MAPLE ROAD SUITE 350 BIRMINGHAM, MI 48009			JIMENEZ, MARC QUEMUEL	
			ART UNIT	PAPER NUMBER
			3726	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/023,479	Applicant(s) WURM ET AL. <span style="float: right;">ed</span>	
	Examiner Marc Jimenez	Art Unit 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,4-17 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) 9-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-8,16,17 and 19-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 5-8, 16, 17, and 19-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. (US 5,277,470) in view of Brown et al. (US 4,866,883).

Regarding claims 1, 22, 25, and 27, Freeman et al. teach a method of assembling a door comprising the steps of:

A) providing a door inner panel **14** having an outer face **22** and an inner face, at least one functional component of a door (col. 4, lines 9-15), an anti intrusion beam **10**, and a door outer panel **24**,

B) assembling the at least one functional component (col. 4, lines 9-15) onto the outer face **22**,

C) assembling the anti intrusion beam **10** directly onto the outer face **22**,

D) assembling the door outer panel **24** towards the outer face **22**, and

E) securing by fixing the door inner panel **14**, the at least one functional component (col. 4, lines 9-15), the anti intrusion beam **10** and the door outer panel **24** relative to each other,

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F) wherein step C) precedes step D), and wherein the at least one functional component comprises at least one of a window regulator assembly, a loudspeaker and a latch assembly (col. 4, lines 9-15).

In col. 4, lines 9-15, Freeman et al. teach “Below the belt-line 22, the inner panel 16 is typically provided with a plurality of openings 23 for access to internal mechanisms such as window regulators and door latches (not shown) which are operatively disposed within the vehicle door 12 between the inner panel 16 and an outer panel 24.”. However, it is unknown whether the functional component is assembled prior to the intrusion beam being assembled.

Brown et al. teach functional components (see figure 1) that are assembled prior to the anti intrusion beam 106 being assembled.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided the invention of Freeman et al. with “step C)” preceding “step D)”, in light of the teachings of Brown et al., in order to accurately place each functional component before assembling the door cover and anti intrusion beam.

Regarding claims 5-8, 23, and 24, note the fixing element 57 in Freeman et al. See also figure 1 of Brown et al. for fixing elements.

Regarding claims 16, 17, and 26, Freeman et al. also teach assembling the anti intrusion beam 10 onto the outer face separately from the other door components.

Regarding claim 19, the beam 10 of Freeman et al. inhibits intrusion.

Regarding claims 20-21, the beam is a “waist level reinforcement beam”.

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3. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Freeman et al. as applied to claim 1 above, and further in view of Herringshaw et al. (US 4,800,638).

Regarding claim 4, it is inherent that the inner panel of Brown et al. or Freeman et al. would have a trim panel because door typically have trim panels for aesthetic effects. However, Brown et al. do not specifically show the inner face of the inner door panel. Herringshaw et al. teach a trim panel 16 for the interior of the door.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided the invention of Freeman et al./Brown et al. with a trim panel, in light of the teachings of Herringshaw et al., in order to provide the inner surface of the inner door panel with a protective covering.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 4-8, 16, 17, and 19-27 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### *Interviews After Final*

6. Applicant note that an interview after a final rejection will not be granted unless the intended purpose and content of the interview is presented briefly, in writing (the agenda of the interview must be in writing) to clarify issues for appeal requiring only nominal further consideration. Interviews merely to restate arguments of record or to discuss new limitations will be denied. See MPEP 714.13 and 713.09.

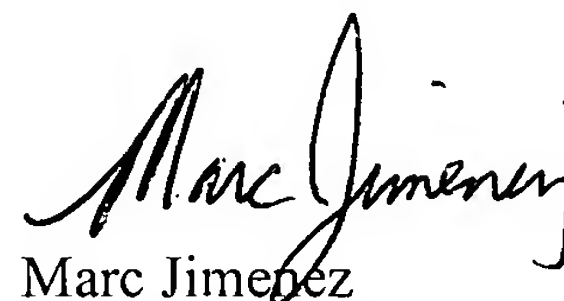
#### *Contact Information*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Jimenez whose telephone number (571) 272-4530. The examiner can normally be reached on Monday-Friday between 5:30 a.m.-2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 273-4530. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Marc Jimenez  
Primary Examiner  
Art Unit 3726

**MJ**

March 23, 2005